

STATE WINS FIRST ARGUMENT WITH B. & O. RAILROAD IN TAX CONTROVERSY

PT. PLEASANT, W. Va., Sept. 5.—Judge W. A. Parsons decided against the B. & O. in the appeal case of the Ohio River division in his decision made public yesterday. This was the first of the appeal cases to be heard in the State. Following is Judge Parsons' opinion:

"I decide, first, that the property of the Ohio River division of the B. & O. railroad may be legally assessed for taxation to the latter, because the stock of the former is substantially all owned and the road is controlled and operated by the latter.

Second, that the statute requires all railroads to be assessed and taxed including their franchise, and that the method to be pursued by the board in ascertaining and fixing railroad values is sufficiently pointed out by the statute.

"Third, that the B. & O. railroad system in the State should be considered as a single profit earning unit in ascertaining its value for the purpose of taxation and after arriving at its aggregate value in this way the aggregate should be apportioned by the board among the several counties through which the roads pass.

"Fourth, the net earnings of the system in this State for 1905 was \$5,494,094.20, as reported by the company. If this be capitalized at 6 per cent, we have \$91,568,260.66, which we hold to be the value of the road for purposes of taxation, and this sum exceeding the value fixed by the board and it not being shown that the company is prejudiced by the apportionment made by the board among the counties, the decision reached by the board is confirmed."

FINE BEER MADE AT HOME

The Clarksburg brewery says to the public:

Probably not one person in a thousand of those who use beer as a beverage or as a tonic, ever gives a second thought to the way in which it is made. We want you to patronize the products of home industry and to settle on questions of purity and goodness of our beer. We invite your inspection of our modern plant. Any one who visits the Clarksburg Brewing Co. is at once impressed with the extraordinary cleanliness that prevails in every department. The cellars are provided with artificial refrigeration and ventilation. Nothing but filtered and germ free air is allowed to come in contact with the beer, and all the water employed, not only for brewing but also for cleaning purposes is most carefully purified, sterilized and filtered, and the choicest brewing materials used.

HON BUTLER IS STILL CHAMPION

The wrestling match at the new Grand last evening proved to be a very tame affair after all. The much-heralded dark horse, Charlie Johnson, who accepted Hon. Butler's challenge to stay with him twenty minutes, showed that when he did not know about the wrestling game was a good deal. Johnson looked to be rather husky in his street togs but when stripped he was quite another figure. Attenuated might well describe Mr. Johnson's physique.

Butler toyed with him for about eight minutes of the twenty and then threw him with the greatest ease. Some of the audience expressed disapproval of the bout, but that should not be charged to Butler as his offer is bonafide. He agrees to forfeit \$25 to any one who will stay ten minutes on the mat with him. As yet no local athlete has been found who cares to take a chance with Butler. The wrestling bout was proceeded by a good vaudeville bill, which was sufficiently good to interest a good sized audience.

Isham Lyle was caught by Constable Lee Coffman at the fair grounds Tuesday. Isham was drunk and disorderly. He was brought before Squire Gordon and fined \$2.60 which he settled.

W. W. Hall, of Weston, is here and left today for Michigan, where he will reside in the future.

Chuck Turner, of Parkersburg, is in town and will be here during the fair.

THIRD DAY OF THE FAIR IS BREAKING ALL RECORDS OF THE PAST IN ATTENDANCE

The third day of the fair was a record breaker in point of attendance. It is estimated that fully 20,000 people were here for the day's program and the number may have been closer 25,000.

The program proved interesting, and especially the novel attractions. The cattle show is the finest and most complete ever exhibiting here. It was an inspiration to cattle growers to see the judging of the sweepstakes in front of the grand stand Tuesday afternoon. Of the several herds Robert Watson & Son, of Youngstown, O., were given first premium on Short Horns, W. W. Hall, of Ritchie county, carried off second prize with his Herefords and Granville Cookman, of Lewis county, got third premium.

Robert Watson & Sons got premiums on Short Horns as follows:

Bull four years 1st, bull 2 years first, 3 and 2 year old cows first and second, yearling bull first and first and second on yearling heifers.

J. A. Watson, of Youngstown, was awarded on Holsteins first on aged bull, yearling bull, breeding cow and calf and first and second on bull calf, cow, two-year-old heifer, yearling heifer, heifers, calves and herd.

Hiram Burnside, of Wolf Summit, received on Short Horns first premium on breeding cow and calf, and heifer calf, and second on bull three-years-old, and cow three-years-old. He also received first on grade heifer 2 years old.

John D. Pickens, of Quiet Dell, got premium cards on Aberdeen Angus cattle as follows:

First on bull three years, bull calf, two-year-old heifer, and first and second on breeding cow, heifer calves, and breeding cows with calves on foot.

Of the grade class W. C. Bumgardner, of Craigmoor, took second premium on cows 2 and 3 years old and first on steers 1 and 2 years old. He exhibited Short Horn and Polled Angus.

Besides the classes named there were two or three Jerseys, Guernseys, etc., entered and given premiums.

S. L. Blake was awarded in grade cattle first premium on cow and calf at foot and second on heifer calf.

W. W. Hall, of Auburn, got first in Herefords in 3-year-old bull, and 3-year-old cow and second on 1-year-old bull and 2-year-old heifer.

W. E. Bond and Brother, of Hackers Creek, took in Herefords first on 1 year old bull, and second on bull calf, two year old heifer and heifer calf.

Granville Cookman, of Lewis county, got second on aged bull, cow, first on bull under 1 year and heifer calf and first and second on yearling heifers.

In the horse show is Lloyd L. Queen's fine three year old stallion, Chester Chimes by Chimes, which carried away his third first premium and is keeping up the record of his sire by dam, Membrino King, who never lost a blue ribbon.

S. L. Blake, of Mt. Clare, got first and second on 2 year-old cows, grades, first on one and two year old ewes, first on lambs and second on buck lambs. He also got first prize on 3 year old roaster (horse), first on 2 year old board, sow and yearling male hog.

Arthur Sheets carried off first and second premiums on through the Southdown sheep classes.

John D. Pickens was awarded first premium on three year old draft horse. W. C. Bumgardner got second premium on 2 year old draft mare.

Red cards were plentiful in machinery hall. Among the winners are Riley & Stewart, saddles and harness; Home Furnishing Company, stoves, iron cabinet and complete dining room set (the finest ever seen anywhere); the Singer Sewing Machine Company, machines; C. P. Stout, china; A. Radford Pottery Company, pottery; Palace Furniture & Undertaking Co. parlor set, chair, library set, Davenport and kitchen cabinet; Godfrey Carpet Company, fine and rich display; Tate & McCune, besides many others among which are vegetable and cereal exhibits.

The Columbus Buggy Company, J. E. Williams, agent, Clarksburg, W. Va., has a very large and handsome display of buggies and carried off many premiums. The display of farm implements and machinery is varied, large and complete.

Floral hall is the prettiest and

STREET CAR FARE TO FAIRMONT WILL BE ONLY FIFTY-FIVE CENTS

The rate of fare between Clarksburg and Fairmont on the trolley line will be fifty-five cents. The schedule has been made and tickets have been printed for use on the line as far as Shinnston, on the Fairmont end.

The first class stations and the end of each five cent limit between the two cities are as follows:

Clarksburg, Perry, 5. Hepzibah, 10. Meadowbrook, 15. Gypsy, 20. Shinnston, 25. Enterprise, 30. Hutchinson, 35. Chiefton, 40. Monongah, 45. West Chester, 50. Fairmont, 55.

Of course stops will be made at other stations, but some points where stops are now made will be passed by when the through schedule goes into effect. Just what these are will be announced later.

According to present plans there will be three through cars running between Fairmont and Clarksburg, a car leaving each city on the even hours throughout the day. The time allowed for the run between the two cities is one hour and twenty minutes. Therefore, to get on the one hour schedule three cars will be necessary one passing two on alternate trips, but allowing a car to leave Clarksburg and Fairmont on the even hours. The cars will probably start at six o'clock in the morning, one from each end of the line, the third car starting in so as to hold up the hour schedule.

It will be some time before cars will be running all the way. A large cut at Gypsy and some other difficulties in the way will hold the company back a few months in the completion of the line. By early spring, however, cars will be making through trips and we can go and come about as often as we please.

As the time will be a little less than the B. & O. schedule, the fare below even the two-cent rate and the accommodations par excellence, the traction company will undoubtedly get a large per cent. of the passenger traffic between the two cities.

POSTOFFICE INSPECTOR BROUGHT TO TIME BY FARMER

United States Postoffice Inspector E. A. Allen went up against it good and hard a few days ago. He had an experience he will not soon forget. Although a government official he was made to toe the mark, and it was an unsophisticated mountain farmer who brought him to time.

Mail Pouch tobacco tags frequently get people into trouble and remotely figured in Inspector Allen's, but first in those of A. J. McGinnis, a farmer residing two miles east of Tunnelton. On the occasion Allen met his match, it was McGinnis he had gone to see. The latter was busily engaged on the mountain side harvesting his hay. State Senator Sam. B. Montgomery and Col. Allen drove out from Tunnelton in a buggy to where McGinnis lives and found him on the mountain side.

Inspector Allen diplomatically explained to McGinnis that an act of his had made him indebted to Uncle Sam to the stupendous amount of ten dollars. That act was the sending of a written letter to Bloch Brothers in a package of tobacco tags. Written letters are first class matter, while tags are of a lower class, and McGinnis paid the lower class rate and thus laid himself amenable, with the penalty \$10 as stated. All would have been well had not the letter been detected within, and then it was Mr. Allen was delegated to collect the fine. That was his mission to McGinnis' place. But McGinnis talked "sassy" and expressed himself in a manner that meant he would not pay. The inspector then told him it was his duty to arrest him, if he did not pay, and so on. At least McGinnis not having the needful forthcoming cot time from Allen and gave his sixty-day date.

All was well and Col. Allen and Senator Montgomery bade McGinnis good-day with the hope that we would get along nicely with his harvest. All was lovely, but the dove of peace soon took her flight, for the genial inspector and state senator were too much absorbed in a discussion as to whether the note would be paid cheerfully, or were too rattled over their experience to notice a good-sized haystack, such as are built on mountain sides, to steer clear of it with their buggy and over it toppled.

They thought little of this and were about to proceed, when McGinnis called and beckoned them to stop. They obeyed. It was not the note or the fine he now talked about but in stentorian tones such as are characteristic of an irate mountaineer he commanded Allen to rebuke that haystack. The inspector hesitated, but he soon realized it was now his turn to pay the penalty. The farmer even made him go two hundred yards to a barn to get a fork for the purpose. He went. And he put up that haystack, too.

McGinnis chuckled and Montgomery laughed outright, and the inspector worked like an old hand at the business. It may have afforded him pleasure, but the only real pleasure he seemed to get out of it was his return to the farmer, when he got through stacking the hay, that he had done that same thing for sixteen years, but whether Inspector Allen spoke truthfully about himself in this particular it is a dead sure thing he worked in the harvest field that day the same as Maud Muller the day the judge rode by.

TOURNAMENT TO BE GIVEN

Invitations have been issued as follows:

Your presence is desired at a Picnic and Tournament to be held at West Milford, near Elmer Stout's, Wednesday, Sept. 19, 1906, by the Harrison County Tournament Association.

Regulations—Lance, nine feet, to balance in middle.

Committees

Arrangements—Dr. Chas. Taylor, Chas. E. Stotler, Frank M. Stout, John Helmick.

Invitations—H. G. Carskadon, Dr. A. J. Kemper, Chas. Cummings, Fred Kinsley.

Marshals—Edward Reynolds, F. H. Rhodes, Fred Davis.

NICE DANCE GIVEN

The Young Peoples' Social Club gave one of their nice dances in the Elkbridge hall last night. Dancing was indulged in from nine to one o'clock. There were several out of town guests presents who are visiting in the city during the fair. About twenty couples in all attended and enjoyed a most pleasant evening. Crow's orchestra furnished elegant music. After the dance all adjourned to the Waldo where a delightful lunch was served.

Card Party Given

Miss Grace Bery entertained with a card party Tuesday night at her home on Lee street in honor of Mack McKee and Miss Hazle McKee, of Dayton, O. The guests enjoyed a progressive game of hearts until a late hour when delightful refreshments were served. Those present were Misses Mary Eva Hardesty, Pella Payne, Icie Davis, Hazle Long Bertha Goff, Messrs. Harry Harbert, Carl Lang, Brook Smith, Frank Wade.

Teamster's Meeting

Will be held in the court house at Clarksburg on Saturday, Oct. 13, 1906, at 11 o'clock a. m. All the old U. S. teamsters are requested to be present. Let us have a reunion and a good time. Let everybody come.

THOS. HAWKER, Pres.
B. A. REEDER, Sec'y.

ROUGH AND TOUGH WAS HOMECOMING

James H. Mines, C. L. Patton, E. K. Stout and W. J. Nixon are home from Bolar Springs, Va., where they resuscitated several weeks, and are now looking fine. They had unenviable experiences coming home. They got to Monterey all right by stage but had to walk up the mountains because the team stalled and on this side they had a narrow escape from reprecitation down the mountains. One horse went over a bank and was injured. Their vehicle was smashed some, but after repairs they came along all right until they reached the railroad and had to walk two miles to Durbin to get a train. They stopped over night at Elkins and were blocked by a wreck next day near Belington, but finally landed home safely to the delight of their families and friends. They speak highly of Bolar Springs.

SHINNSTON ODD FELLOWS TO LAY CORNER STONE

Big preparations are being made by the Shinnston Odd Fellows to lay the cornerstone of the new Odd Fellows' building at that place next week. The exact date for the ceremonies has not been fixed as yet but it is thought that the 11th or 12th will be chosen. Prominent Odd Fellows from this section of the State have been asked to participate and it is expected that a large crowd will attend from Clarksburg.

MISS SMELL DEAD

The funeral of Miss Elizabeth Smell, whose death occurred at 10 p. m. Monday, occurred today from the home of her brother, A. P. Smell, near Boothsville, Rev. P. H. Murray officiating. Miss Smell was 97 years of age and is survived by a sister and brother, Mrs. Catherine Teter, of Oral, and A. P. Smell, of Boothsville.

HELD FOR COURT

Mr. Pigotti came before Squire Riley yesterday and complained of one Ed Bunch, who he claims snatched eight dollars and ten cents out of his son's hand on the 31st of last month. Bunch was arrested and after a hearing was held to await the action of the grand jury.

Broadbuss Opens

Broadbuss will open on Thursday for the regular fall term. Nearly all the members of the faculty are here and the others will arrive tonight. The prospects for a good enrollment are flattering. For the past two or three days President Hulley has been busy assigning rooms to students.

THE HOME OF HARRY JOHNSON, ON LOCUST STREET, HAS BEEN QUARANTINED ON ACCOUNT OF HIS SON HAVING THE DIPHTHERIA.

Emery Coffman, who has been working in the wholesale grocery business at Uniontown this summer is in the city on a short visit.

Mrs. M. M. Sommers and daughter returned Monday from a three weeks vacation at Mt. Lake Park.

The Salvation Army will hold special attractions during fair week in the order of street meetings.

Miss Katherine O'Neil, of Pittsburgh, is the guest of Mr. and Mrs. Frank Dennison.

Mrs. S. F. Reed left Monday morning for the beneficial climate of Colorado and to pay an extended visit to her sister, Miss Rose Lee Smith, in that State.

Rev. J. D. Chavis, D. D., of Wheeling, will preach in Trinity M. E. church, colored, Wednesday evening. All are cordially invited to hear him.

"Peck's Bad Boy" makes all people turn young again. It is positively the greatest tonic for the blues ever conceived. Take the children to the matinee Saturday.

Dr. E. M. Pearcey, of Glenville, was in town on business yesterday.

Miss Shinn, of Fairmont, is visiting Miss Elvira Wells.

Clyde Fitch, Paul Hamilton, Spray Lynn and John Meredith, of Fairmont, are in town to attend the fair.

Mrs. Tom Brady left Tuesday for Emporium, Pa., where her sister-in-law, Mrs. Molly Brady, is quite sick.

Mrs. Rose Carr Martin and daughter, Miss Lillian Carr, have gone on a short visit to Cincinnati.

Mr. and Mrs. W. H. Jackpakes are at the Princess Ann hotel at Virginia Beach.

POLICE COURT

There were only two up before Mayor Harmer this morning. Jess Day was up on a charge of drunk. After seeing his pitiful condition he was let go. Ed Sealing was fined three dollars and costs for an ordinary drunk. In default of payment he was sent over the road. Mr. Hannan was attacked by two thugs on the Glen Elk bridge last night and defended himself well by promptly knocking both down. The two thugs were arrested and put up a forfeit of ten dollars but failed to appear. There were two other put ups which failed to turn up.

MARRIED AT PARSONAGE

Mr. Albert Lanham and Miss Esty Plant, both of Marshville, were married at the Baptist parsonage Tuesday night by Rev. R. B. McDanel. Several friends were present and the ceremony was quite pretty. They are an excellent young couple.

CALL TO CONVENTION

The tenth annual convention of the Harrison County W. C. T. U. will be held with the Salem Union, Sept. 25 and 26. Please send names of delegates to Mrs. Daisy Kemper, Salem, W. Va. Entertainment for the W. C. T. U. members whether appointed delegates or not.

Cora R. Ogden, Pres.
Blanche Mullen, Cor. Sec.

MARRIAGE LICENSES

Ernest H. Burns and Mary Sanders.
Albert Lanham and Esty Plant.
William V. Hutchinson and Anno O. Kidd.
Roy J. Davis and Alice May Thrash.
Lery A. Queen and Ohio O. Wolfe.
John W. Groves and Mary E. Coffman.

B. & O. Officer Powell caught a lad hopping trains Tuesday morning in the local yards. The lad was brought before Squire Gordon and fined the usual \$2.60. He made arrangements to settle. His name is John Pell and he claimed to be from Ohio.

DANCES AT PARK

There is a series of three public dances at Union park during fair week. They will occur on Tuesday, Wednesday and Thursday of this week and are given by Wells' popular orchestra, who have established a record for successful balls at the park. The public is invited to attend and arrangements have been perfected to insure a pleasant and orderly time. The full orchestra is being used each evening.

Mr. Fitch, of Morgantown, passed through this morning enroute to Mt. Lake Park where he will attend the Democratic congressional committee meeting.

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